


REMARKS

The applicants hereby traverse the restriction because the Examiner has not correctly shown that the product of claim 1 can be made by a process that is materially different from the process of claim 9. Claim 9 is substantially identical to claim 1 except that the word "forming" is placed before each of the structures of the device recited in claim 1. As such, it is not seen how the device of claim 1 can be created by any process that does not infringe claim 9. The Examiner asserts that the device of claim 1 could be made by a "lift-off technique or selective deposition." However, if such a "lift-off technique or selective deposition" creates the first conducting region recited in claim 1, then it also forms the first conducting region according to claim 9. Thus, such a "lift-off technique or selective deposition" would infringe claim 9 and the device created by that technique would infringe claim 1.

The Examiner improperly compared the device of independent claim 1 with the process of dependent claim 11. The Examiner listed several steps that are found in claim 11, but that are not found in independent claim 9. Thus, the Examiner's reason for restriction does not support the restriction between claims 1 and 9.

For the foregoing reasons, the restriction requirement is improper. Accordingly, the applicants request withdrawal of the restriction requirement and examination of all of the pending claims.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC



Robert Iannucci
Registration No. 33,514

RXI:lm
Enclosure:
Postcard

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031
C:\NrpPortbl\iManage\LAURAT\565052_1.DOC